

REMARKS

Claims 1- 28 are pending. Applicant submits that the Amendment filed on December 31, 2001 (a copy of which is enclosed as an additional submission under 37 C.F.R. § 1.114) and the remarks filed therewith overcomes the rejections of the Final Office Action dated November 30, 2001. Further remarks addressing the section 102 and 103 rejections are stated below.

Rejections under 35 U.S.C. § 102

Claims 1-4 and 11-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Fischer (EPO 0 638 860 A2). This rejection is respectfully traversed.

In order for the Fischer reference to anticipate the claimed inventions under 35 U.S.C. § 102(b), the reference must teach each and every element of the claimed inventions. Independent claim 1 includes the features of:

- taking a snapshot of the object wherein the snapshot represents the object at a point of execution;
- associating a signature with said snapshot;
- maintaining said association between said snapshot and said signature.

Independent claim 11 includes the feature of a computer usable medium with computer readable code that is configured to cause a computer to run the features as claimed in claim 1. The Applicant respectfully submits that Fischer cannot support a section 102 rejection because, at the very least, the Fischer reference does not disclose or suggest taking or using a snapshot of an object where the snapshot represents the object at a point of execution.

As stated in the Amendment dated December 31, 2001, the term snapshot is representative of the state of a live object during a particular point of execution (See e.g., specification page 2, lines 6-71 and page 21 lines 1-5). A snapshot therefore represents a "picture" of a live object which is changing state. Subsequent to taking the snapshot,

embodiments of the claimed inventions continue to execute the live object which may result in further modification to the values of the live object (See e.g., specification page 9 lines 16-20). Applicant respectfully submits that the snapshot of the claimed invention is different than the "cell" described in the Fischer reference. A cell is basically an instance of the object and the program executing the object bound into a data file. The cell is static, and does not correspond to a live object.

Therefore, Fischer does not disclose or suggest the features of claims 1 and 11 and therefore cannot support a section 102 rejection or a section 103 rejection. Consequently, Applicant respectfully requests that the section 102 rejection be withdrawn for claims 1 and 11. The dependent claims are submitted to be allowable for at least the same reasons as the independent claims.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 5-7, 15-17, and 22 under 35 USC § 103(a) as being unpatentable over Fischer in view of Schneier (Applied Cryptography). This rejection is respectfully traversed. To support a section 103 rejection, the cited prior art references must disclose or suggest all of the features of the claimed inventions. Applicant submits that the cited prior art references does not disclose or suggest all of the features of the claimed inventions and therefore fails to make a prima facie showing of a section 103 rejection.

Applicant respectfully submits that Fischer neither discloses or suggests the features of independent claim 22 because, as indicated above in reference to the section 102 remarks, Fischer does not disclose or suggest the taking of a snapshot of an object or using a snapshot of an object where the snapshot represents the object at a point of execution. With regard to Schneier, the Office has cited page 39 of Schneier for support of the section 103 rejection. Upon review of page 39 of Scheier, Applicant respectfully submits that the cited portion of Schneier does not disclose or suggest the feature of taking or using a snapshot of an object. More specifically, neither cited prior art reference describes or suggests the use of a snapshot

that represents a "picture" of a live object that is changing state. In contrast, subsequent to taking the snapshot, embodiments of the claimed inventions continue to execute the live object that may result in further modification to the values of the live object. Therefore, the Applicant respectfully submits that the Office has failed to make a prima facie showing of obviousness as is required in a section 103 rejection. Accordingly, Applicant respectfully submits that claim 22 is not obvious from Fischer in view of Schneier. Applicant further submits that dependent claims 23-28 are allowable for at least the same reasons as independent claim 22.

As discussed with regard to independent claim 22 and with regard to the section 102 discussion above, Schneier and Fischer, individually or in combination, do not disclose or suggest the feature of taking a snapshot of an object or using a snapshot of an object where the snapshot represents the object at a point of execution. Therefore, independent claims 1 and 11 are not rendered obvious for at least this reason because all of the elements of the independent claims are not disclosed or suggested by the cited prior art references. Thus, Applicant submits that claims 5-7 and 15-17 are patentable for at least the same reasons as independent claims 1 and 11.

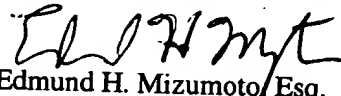
Claims 8-10 and 18-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Chaplin (U.S. Patent No. 5,315,655). This rejection is traversed. Applicant respectfully submits that Fischer in view of Chaplin does not disclose or suggest all of the features of independent claims 8 and 18 and therefore fails to make a prima facie showing of a section 103 rejection.

Fischer, as indicated above, fails to disclose or suggest the taking of a snapshot of an object or using a snapshot of an object. Chaplin discloses a method of encoding and decoding data. Chaplin, like the other cited prior art references, does not disclose or suggest the taking or using of a snapshot of a live object. Therefore, Applicant respectfully submits that independent claims 8 and 18 are allowable because Fischer and Chaplin, either alone or in combination do not disclose or suggest all of the features of independent claims 8 and 18. Thus, Applicant

respectfully submits that the Office has failed to make a prima facie showing of obviousness ; is required in a section 103 rejection. In addition, all of the dependent claims are submitted to be patentable for at least the same reasons as independent claims 8 and 18 are patentable over the cited art of record.

The Applicant submits that the pending claims are in condition for allowance. A notice of allowance is respectfully requested. If the Examiner has any questions, the Examiner is kindly requested to contact the undersigned at (408) 749-6900. If any additional fees are due in connection with the filing of this paper, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP043C).

Respectfully submitted,
MARTINE & PENILLA, L.L.P.


Edmund H. Mizumoto, Esq.
Reg. No. 46938

Martine & Penilla, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, California 94085
(408)749-6900